



COUNTY OF LOS ANGELES
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February 7, 2008

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Robin Guerrero
Deputy Executive Officer
Board Operations

FROM: JOHN F. KRATTLI 
Senior Assistant County Counsel

RE: **Maria Marroquin and Marco Marroquin v. County of
Los Angeles**
Los Angeles Superior Court Case No. TC 020 368

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation in the above-referenced matter.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda for February 19, 2008.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Maria Marroquin and Marco Marroquin v. County of Los Angeles, Los Angeles Superior Court Case No. TC 020 368, in the amount of \$285,000, plus the waiver of the County's medical bills of \$1,173,210, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at Martin Luther King/Drew Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Maria Marroquin and Marco Marroquin v. County of Los Angeles
CASE NUMBER	TC020368
COURT	Los Angeles County Superior Court South Central District
DATE FILED	August 20, 2006
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$285,000 plus the waiver of the County's medical bills for \$1,173,210.
ATTORNEY FOR PLAINTIFF	Darren A. Manibog, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This was a medical malpractice lawsuit brought by Maria Marroquin and Marco Marroquin against the County of Los Angeles.</p> <p>On October 4, 2005, Maria Marroquin, a 46 year-old female, underwent a surgical procedure at Martin Luther King/Drew Medical Center ("MLK") whereby her gallbladder was removed. The records</p>

do not reflect whether MLK staff fully informed the patient of the risks and complications of the surgery.

Complications arose during the October 4, 2005 surgical procedure as a part of the patient's small intestine was injured during the surgery. As a consequence, Ms. Marroquin had to undergo several additional surgeries to correct and treat the complications and thus, had to remain at the hospital for a prolonged period of time. During her hospitalization, Ms. Marroquin incurred medical bills in the amount of \$1,173,210.00.

Maria Marroquin asserted a claim for medical malpractice, and her husband, Marco Marroquin, asserted a claim for Loss of Consortium against the County of Los Angeles.

Although the County will argue that the complications of the October 4, 2005 procedure were reasonably expected, the medical experts may be critical of the occurrence of the intestinal injury during the said procedure. Thus, the parties propose a full settlement of this case in the amount of \$285,000 plus the waiver of the County's medical bills for \$1,173,210.

PAID ATTORNEY FEES, TO DATE	\$28,105
PAID COSTS, TO DATE	\$15,096

Summary Corrective Action Plan



Date of incident/event:	October 4, 2005
Briefly provide a description of the incident/event:	Maria Marroquin, a 46 year-old woman, underwent gallbladder removal at Martin Luther King/Drew Medical Center on October 4, 2005. Although she was advised about the risks and complications of surgery, the medical record does not reflect that she was fully informed. There were complications that led to additional surgeries and prolonged hospitalization.

1. Briefly describe the root cause of the claim/lawsuit:

Inadequate informed consent. Management of the duodenal injury during cholecystectomy.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

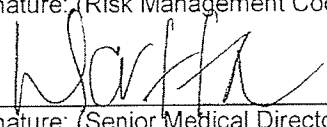
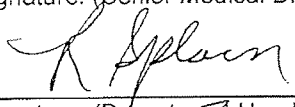
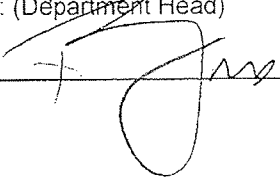
- All appropriate personnel corrective actions have been taken.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

☐ Potentially has County-wide implications.

X Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

☐ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 1/25/08
Signature: (Senior Medical Director) 	Date: 1/25/08
Signature: (Department Head) 	Date: 1/25/08